

accurate statement of the quantity of the contents. (The bags contained less than the weight declared on the label.)

DISPOSITION: April 8, 1949. Default decree of condemnation. The product was ordered delivered to a charitable organization.

DAIRY PRODUCTS

BUTTER*

The following cases report actions involving butter that consisted in whole or in part of filthy or decomposed substances, Nos. 14372 to 14377, and that was below the legal standard for milk fat content, Nos. 14375 to 14384.

14372. Adulteration of butter. U. S. v. 103 Cartons * * *. (F. D. C. No. 26065. Sample No. 8981-K.)

LIBEL FILED: October 18, 1948, Southern District of New York.

ALLEGED SHIPMENT: On or about October 2, 1948, by the Audubon Creamery Co., from Audubon, Iowa.

PRODUCT: 103 64-pound cartons of butter at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy, putrid, or decomposed substance; and, Section 402 (a) (4), it had been prepared, packed, or held under insanitary conditions whereby it may have become contaminated with filth. (Examination of samples of the product showed the presence of insect fragments, mites, manure, rat or mouse hairs, feather barbules, and sediment.)

DISPOSITION: November 16, 1948. The Audubon Creamery Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be converted into fat for soap manufacturing purposes, under the supervision of the Federal Security Agency.

14373. Adulteration of butter. U. S. v. 15 Cartons * * *. (F. D. C. No. 26175. Sample No. 8992-K.)

LIBEL FILED: November 16, 1948, Southern District of New York.

ALLEGED SHIPMENT: On or about October 19, 1948, by the Farmer's Union Coop. Creamery Co., from Superior, Nebr.

PRODUCT: 15 60-pound cartons of butter at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy, putrid, or decomposed substance; and, Section 402 (a) (4), it had been prepared, packed, or held under insanitary conditions whereby it may have become contaminated with filth. (Examination showed that the product contained insect fragments, rodent hair, and manure, and that it had been made from decomposed cream.)

DISPOSITION: January 11, 1949. Default decree of condemnation. The product was ordered denatured and sold for fat salvage.

14374. Adulteration of butter. U. S. v. 6 Cartons * * *. (F. D. C. No. 26445. Sample No. 25286-K.)

LIBEL FILED: December 2, 1948, Southern District of New York.

*See also No. 14390.

ALLEGED SHIPMENT: On or about November 16, 1948, by the Luverne Cooperative Creamery Assoc., Luverne, Minn.

PRODUCT: 6 cartons, each containing approximately 65 pounds, of butter at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy, putrid, or decomposed substance. (Analysis showed that the product contained insect fragments and manure.)

DISPOSITION: January 11, 1949. Default decree of condemnation. The product was ordered sold for nonedible uses.

14375. Adulteration of butter. U. S. v. Ray E. Fowler (Spring Valley Dairy Products Co.). Plea of guilty. Fine, \$300 and costs. (F. D. C. No. 26323. Sample No. 8993-K.)

INFORMATION FILED: January 27, 1949, Southern District of Iowa, against Ray E. Fowler, doing business as the Spring Valley Dairy Products Co., Winterset, Iowa.

ALLEGED SHIPMENT: On or about October 30, 1948, from the State of Iowa into the State of New York.

LABEL, IN PART: "Butter Breakstone Bros., Inc. Distributors New York New York."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of insect fragments, setae, moth scales, insect eggs, rodent hair fragments, manure fragments, and non-descript dirt; Section 402 (b) (1), a valuable constituent, milk fat, had been in part omitted from the article; and, Section 402 (b) (2), a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

DISPOSITION: March 10, 1949. A plea of guilty having been entered, the court imposed a fine of \$300 and costs.

14376. Adulteration of butter. U. S. v. 31 Cartons (1,984 pounds) * * *. (F. D. C. No. 26443. Sample No. 8993-K.)

LIBEL FILED: November 16, 1948, Southern District of New York.

ALLEGED SHIPMENT: On or about November 2, 1948, by the Spring Valley Creamery, Winterset, Iowa.

PRODUCT: 31 64-pound cartons of butter at New York, N. Y.

LABEL, IN PART: "Butter Breakstone Bros., Inc. Distributors New York."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy, putrid, or decomposed substance (analysis showed that the product contained insect fragments, insect eggs, rodent hairs, manure, and sediment and that it was made from filthy cream); and, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

DISPOSITION: December 10, 1948. The Spring Valley Dairy Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was order released under bond to be converted into fat for soap manufacturing purposes, under the supervision of the Food and Drug Administration.